IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

W.P(C).No.428 of 2006(A)

PETITIONER:-

ABIDA BEEVI, W/O.LATE MYTHEENKUNJU,
AGED 58 YEARS, PROPRIETOR, CLASSIC FOOTWEAR,
NEAR PULIMOODU JUNCTION, M.G.ROAD,
THIRUVANANTHAPURAM.

BY ADV. SRI.V.SURESH
SRI.G.SUDHEER

RESPONDENTS:-
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1. THE STATE OF KERALA, REPRESENTED BY ITS
CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE TRIVANDRUM DEVELOPMENT AUTHORITY,
REPRESENTED BY ITS SECRETARY, THIRUVANANTHAPURAM.

* ADDITIONAL 3RD RESPONDENT IMPLEADED:-

* ADDL.3. THE SPECIAL TAHSILDAR, L.A, ADDL. UNIT,
VANCHIYOOR, THIRUVANANTHAPURAM.

* (ADDITIONAL 3RD RESPONDENT IS IMPLEADED AS PER ORDER ON I.A.NO.5276 OF 2007 DATED 9.4.2007).

R1 & R3 BY GOVERNMENT PLEADER SRI.L.G.SURESH BABU.

R2 BY STANDING COUNSEL SRI.K.A.JALEEL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 - TRUE COPY OF THE WILL DATED 20.6.1988 EXECUTED BY MYTHEEN KUNJU.

EXT.P2 - TRUE COPY OF TAX RECEIPT ISSUED BY THE VILLAGE OFFICER, VANCHIYOOR DT.3.10.1997.

EXT.P3 - TRUE COPY OF THE PLAN/SKETCH.

EXT.P4 - TRUE COPIES OF THE PHOTOS SHOWING THE AREAS.

EXT.P5(a) - TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER AND OTHERS BEFORE THE CHIEF MINISTER OF KERALA.

EXT.P5(b) - TRUE COPY OF MASS PETITION SUBMITTED BY THE PETITIOENR AND OTHERS BEFORE THE SECRETARY, PWD, KERALA STATE DATED 30.8.2003.

EXT.P5(c) - TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER AND OTHERS BEFORE THE CHAIRMAN, THIRUVANANTHAPURAM DEVELOPMENT AUTHORITY DT.4.8.2005.

EXT.P5(D) - TRUE COPY OF REQUEST LETTER.

RESPONDENT'S EXHIBITS:- NIL.

- TRUE COPY -

K.Padmanabhan Nair,J.

W.P.(C).No.428 of 2006-A

Dated, this the 9th day of April, 2007

JUDGMENT

The writ petition is filed by the landlord of a building situated on the side of M.G.Road, Thiruvananthapuram challenging a land acquisition proceedings. The Standing Counsel for the 2nd respondent - Trivandrum Development Authority (TRIDA) - submits that the allegation that a bus bay which was in existence at Ayurveda College Junction is proposed to be shifted to a new site is incorrect. It is submitted that while the 2nd respondent took a decision to widen the M.G.Road, it was also proposed to construct a six new bus bays in addition to the existing bus bays. Since the need projected by the respondents is a public one, this Court cannot interfere with the acquisition proceedings. So, the writ petition is only to be dismissed.

In the result, the writ petition is dismissed.

K.Padmanabhan Nair
Judge

vku/-